

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

Case No. 2:10-cr-15
HON. R. ALLAN EDGAR

ROBERT JOSEPH STROUD,

Defendant.

ORDER

Defendant Stroud has been indicted on one count of violating 18 U.S.C. § 922(g)(1), convicted felon in possession of firearms. There is before the Court a motion by defendant Stroud to suppress evidence seized by the police during a search of his residence pursuant to the execution of a search warrant. In the alternative, defendant Stroud seeks an evidentiary hearing under *Franks v. Delaware*, 438 U.S. 154 (1978). [Doc. No. 18].

The motion was referred to Magistrate Judge Timothy P. Greeley for a report and recommendation. Magistrate Judge Greeley has submitted his report and recommends that the defendant's motion be denied. [Doc. No. 42]. Defendant Stroud has not timely filed an objection to the report and recommendation.

After reviewing the record, the Court **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1). The Court agrees with and adopts the Magistrate Judge's findings of fact and conclusions of law. Accordingly, the defendant's motion to

suppress evidence [Doc. No. 18] is **DENIED**.

SO ORDERED.

Date: July 15, 2010.

/s/ R. Allan Edgar

R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE